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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ONE REAL PROPERTY LOCATED IN
BREA, CALIFORNIA,

Defendants.

HENRY MAURISS AND JULIE MAURISS,

Claimants.

No. SACV 17-00112-JVS (DFMx)

STIPULATION AND REQUEST TO STAY
CIVIL FORFEITURE CASE

Plaintiff United States of America (the "government") and
claimant, Henry Mauriss ("H. Mauriss") and Julie Mauriss
("J. Mauriss," collectively with H. Mauriss, "Claimants") hereby
stipulate and request as follows:

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2 1. The Civil Asset Forfeiture Reform Act of 2000 provides for
3 a mandatory stay of a civil forfeiture case under the circumstances
4 present here. Specifically, 18 U.S.C. § 981(g)(2) provides for a
5 stay of the judicial forfeiture proceeding if: (1) the claimant is
6 the subject of a related criminal investigation or case; (2) the
7 claimant has standing to assert a claim; and (3) continuation of the
8 forfeiture proceeding would burden the right of the claimant against
9 self-incrimination in the related investigation.

10 2. This civil forfeiture action was commenced on January 23,
11 2017, against the defendant, One Real Property Located in Brea,
12 California (the "defendant real property"). The government alleges,
13 inter alia, that the defendant real property represents or is
14 traceable to proceeds of a wire fraud scheme in violation of 18
15 U.S.C. § 1343. The defendant real property is therefore subject to
16 forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C).

17 3. This civil forfeiture action is related to an ongoing
18 criminal investigation that arises out of the same facts and
19 involves many of the same issues of fact and law. Proceeding with
20 the instant action in light of the ongoing criminal investigation
21 will likely (A) require Claimants to choose between waiving their
22 Fifth Amendment rights against self-incrimination and defending
23 against the instant forfeiture; and (B) interfere with the pending
24 criminal investigation. Accordingly, the parties respectfully
25 request that the Court stay this action pursuant to 18 U.S.C.
26 § 981(g).

27 4. Plaintiff gave notice of this action as required by
28 Supplemental Rule G(4)(a) of the Federal Rules of Civil Procedure and

1 the Local Rules of this Court. Notice of this action was published
2 as required by Rule G(4)(1)(iv)(C) of the Supplemental Rules of
3 Admiralty or Maritime Claims and Asset Forfeiture Actions. H.
4 Mauriss filed a verified claim as to the defendant assets on March 6,
5 2017. Dkt. 14. J. Mauriss filed a verified claim as to the
6 defendant assets on March 20, 2017. Dkt. 19. The time for unknown
7 potential claimants to file claims expires on March 30, 2017 and
8 their time to file answers expires on April 20, 2017.

9 5. The parties stipulate and request that any stay imposed by
10 this Court not be construed to bar the filing of timely claims.
11 The parties also stipulate and request that any stay that this Court
12 imposes not affect the ability or right of the government to initiate
13 default proceedings against potential claimants who have not filed
14 timely claims.

15 6. The parties propose to report to the Court concerning the
16 status of the criminal investigation every 120 days, with the first
17 report due 120 days after the Court enters an order staying the case.
18 Once the related criminal investigation is completed, the parties
19 shall, within 30 days thereafter, lodge a stipulation to lift the
20 stay.

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2 7. The parties further stipulate that the answers or
3 responsive pleadings for all claimants that have filed, or may file,
4 timely claims will be due 21 days after the entry of an order lifting
5 the stay.

6 Dated: March 27, 2017

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12 Assistant United States Attorney

13 Attorneys for Plaintiff
14 UNITED STATES OF AMERICA

15 Dated: March 27, 2017

GREENBERG GROSS, LLP

16 Aluyah Imosili
17 ALUYAH I. IMOISILI, ESQ.

18 Attorney for Claimant HENRY MAURISS

19 Dated: March 27, 2017

20 Julie Mauriss

21 Claimant JULIE MAURISS
22 In Pro Per

23 Authorized signature
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